

FILED

JAN 16 1998

AT 8:30 AM
WILLIAM T. WALSH
CLERK

GIBBONS, DEL DEO, DOLAN,
GRIFFINGER & VECCHIONE

A Professional Corporation

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(973) 596-4500

Attorneys for Defendant

Stanley Yacker

WALSH SECURITIES, INC.,

Plaintiff,

- vs -

CRISTO PROPERTY MANAGEMENT
LTD., et al.,

Defendants.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

Civil Action No. 97-3496 (WGB)

AFFIDAVIT OF
LAWRENCE S. LUSTBERG, ESQ.

STATE OF NEW JERSEY)
) ss.:
COUNTY OF ESSEX)

I, Lawrence S. Lustberg, being of full age, deposes and says as follows:

1. I am an attorney-at-law of the State of New Jersey, a member in good standing of the bar of this Court, and a partner with the law firm of Gibbons, Del Deo, Dolan, Griffinger & Vecchione, P.C., attorneys for defendant Stanley Yacker.

2. This Affidavit is submitted in support of defendant Stanley Yacker's motion to stay proceedings in Walsh Securities, Inc. v. Cristo Property Management, et al., Civil Action No. 97-3496 (WGB), pending the resolution of a parallel criminal proceeding, described herein.

3. I was retained by defendant Yacker to represent him in a criminal investigation currently being conducted by the United States Attorney's Office for the District of New Jersey. I have been informed by Assistant U.S. Attorney Marc W. Farley, Deputy Chief of the Fraud and

Public Protection Division, that the government is presently investigating over two hundred real transactions which took place in the State of New Jersey, to determine whether a fraud has been committed by any of the parties involved in those transactions.

3. Mr. Farley has informed me that Stanley Yacker is a target of this criminal investigation. In addition, I have been informed that the following companies and their employees are also under investigation: Walsh Securities, Inc. ("Walsh Securities"); Cristo Property Management, Ltd.; Capital Assets Property Management & Investment Co., Inc.; and National Home Funding, Inc.

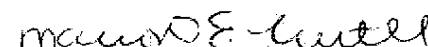
4. On July 29, 1997, federal law enforcement authorities executed a search warrant at Mr. Yacker's home and office, and seized files, office equipment, and documents therefrom, in furtherance of the government's investigation.

5. On July 17, 1997, Walsh Securities filed a civil complaint naming, among others, defendant Stanley Yacker as a defendant, the allegations of which complaint mirror the factual allegations surrounding the criminal investigation presently being conducted by the United States Attorney's Office. On November 7, 1997, Walsh Securities filed an amended complaint naming eight additional defendants.



Lawrence S. Lustberg

Sworn to before me this
15th day of January, 1998.



Notary Public

MARION E. TURTLE
NOTARY PUBLIC, STATE OF NEW JERSEY
NO. 2168050
COMMISSION EXPIRES APRIL 9, 2001